

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant:	Minwen JI	§	Confirmation No.:	9836
		§		
Serial No.:	10/687,798	§	Group Art Unit:	2616
		§		
Filed:	10/17/2003	§	Examiner:	Gary Mui
		§		
For:	Traffic Flow Management	§	Docket No.:	200300737-1
	Through A Multipath	§		
	Network	§		

**REPLY BRIEF**

**Mail Stop Appeal Brief – Patents**

Date: December 29, 2008

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply Brief is in response to statements made by the Examiner in the Answer mailed October 30, 2008.

Regarding claim 1, the Examiner stated that Cain teaches “that a route from source to destination will remain dedicated for that purpose until rerouting is required, either due to a link failure along the route or due to traffic congestion.” Answer page 11. Claim 1 requires preserving a first link “upon determining a desired load change of the first link is less than a predetermined value.” Even if the Examiner’s characterization of Cain is correct, Cain still fails to teach determining whether a desired load change of the link is less than a predetermined value. As explained in Appellant’s principle brief, determining whether a link has a “desired load change” that is less than a predetermined value is defined by the specification as a load change that is needed to balance the loads on the various paths or links. Thus, claim 1 requires maintaining a current link for a subsequent packet as long as the network’s load balancing methodology does not result in a load change on that link exceeding a threshold. Cain simply does not teach this particular claim limitation.

Claim 9 requires a particular use of ranges of hash units. Specifically, claim 9 requires the processor, per the program instructions, to adjust partition traffic flow pointers. The positions of the pointers "are variable relative to a range of hash units that correspond to flow addresses." In the Answer, the Examiner identified various passages within Li (e.g., col. 4 lines 17-54 and Fig. 3) as allegedly teaching the limitation of claim 9. Such passages or elsewhere in Li have no such teaching. While a reference may be made in Li to "hashing," such references do not teach or even suggest adjusting pointers whose positions are variable relative to a range of hash units, that is, using one or more pointers to partition traffic flow by defining boundaries between ranges of hashed flow addresses (hash units). This argument applies to other independent claims 16 and 23 as well.

For the reasons stated above as well as in Appellant's principle brief, Appellant respectfully submits that the Examiner erred in rejecting all pending claims. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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